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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

MICHAEL G. SCHWERN,

Case No. 3:14-CV-00146-PK

Plaintiff,

**PLAINTIFF'S UNOPPOSED MOTION  
TO CONTINUE ORAL ARGUMENT**

v.

PATRICK PLUNKETT,  
Personal Representative of  
the Estate of Nóirín Plunkett,

Defendant.

Plaintiff Michael G. Schwern, through counsel, respectfully moves the Court for an order continuing the October 25, 2016 oral argument on Patrick Plunkett's motion for relief under Fed. R. Civ. P. 60(1)(1) and motion to dismiss. Mr. Plunkett's counsel has stated that he does not oppose this motion. The United States Court of Appeals for the Ninth Circuit has calendared oral argument on Mr. Plunkett's appeal of this Court's denial of Nóirín Plunkett's special motion to strike for November 9, 2016. Because the Ninth Circuit's decision may moot the motions

pending in this Court, and to reduce costs for all concerned, the parties agree that it would be best if this Court continued the oral argument for a minimum of two months. Accordingly, the Court should grant this motion and continue the argument.

RESPECTFULLY SUBMITTED September 26, 2016,

/s/ Bear Wilner-Nugent  
Bear Wilner-Nugent, OSB #044549  
Attorney for Plaintiff